

DISTRICT LICENSING AGENCY

ALL ABOUT APPLYING FOR A CLUB LICENCE

This is a guide to the process involved in obtaining a Club Licence pursuant to the Sale of Liquor Act 1989. Please note that the suggestions contained in this document are intended as a guide only.

THE PREMISES

When making application for your Club Licence you will need to submit with your application a number of details in order for the Licensing Authority to consider the application. These matters are listed in Regulation 11 of the Sale of Liquor Regulations and include the following:

- a) A certificate by the Local Authority that the proposed use of the premises meets:
 - i) The requirements of the Resource Management Act 1991 (relates to planning matters); and
 - ii) The requirements of the Building Code.

An application cannot be lodged and will not be considered by the District Licensing Agency without a Certificate of Compliance under the Resource Management Act relating to the use of the premises, and the Building Act. It is strongly suggested that before you make application for a Club Licence or enter into any binding agreement in relation to any premises for which you are intending to obtain a liquor licence that you check that the proposed use of the premises complies with the Resource Management Act and that the building meets all the relevant standards of the Building Code.

You will need to check this with the following staff of the Timaru/Mackenzie District Council:

- *Certificate of Compliance, Resource Management Act:*
District Planning Officer
- *Building Act Compliance:*
District Building Official

In addition to the above you should ensure that the proposed premises meets Health requirements. The application when lodged will be referred to one of the Council's Liquor Licensing Inspectors. It would be appropriate at this stage to approach a Council Environmental Health Officer in order to ascertain if the premises would be suitable for use as a licensed premises and meets the required standards. Contact should be made initially with Sharon Adams, Liquor Licensing Clerk, telephone (03) 687 7200 (ext 8025).

THE LICENSEE

A Club Licence may be held by any club.

The Sale of Liquor Act requires a manager to be on duty at all times when liquor is sold or supplied to the public in any licensed premises.

This means that the holder of a Club Manager's Certificate or General Manager's Certificate is required to be available at all times that liquor is being sold to the public under the Club Licence. This will not be a common occurrence. Your club will need to ensure that it has at least two (preferably more) members who have a Club Manager's Certificate. Application for a Manager's Certificate is made to the District Licensing Agency and must be accompanied by evidence of involvement with club activities having undergone sufficient training in the responsibilities of a manager under the Sale of Liquor Act as well as evidence of any experience and copies of references from the Club concerned and indicating the applicant's involvement with the Club.

HOST RESPONSIBILITY

It is a policy of the District Licensing Agency to require all Club Licence holders to have a Host Responsibility policy in place. As an applicant for a Club Licence you must have a Host Responsibility policy in terms of your premises and you will be expected to enforce it and ensure that your staff enforce it also. Your application for a Club Licence will be referred to the Medical Officer of Health, Crown Public Health, for a report as required by the Sale of Liquor Act and that officer will give consideration to your Host Responsibility policy.

THE APPLICATION

An application for a Club Licence is to be made in the standard form, a copy of which is attached. Each application should include the following (Regulation 11, Sale of Liquor Regulations 1990):

- a) The completed application form.
- b) Where the applicant is incorporated, a copy of the Certificate of Incorporation or other documentary evidence of its incorporation.
- c) Where the club held a charter under the Sale of Liquor Act 1962 identifying particulars of the club's charter.
- d) A copy of the club's constitution or rules.
- e) A schedule of the club's activities that includes the days and hours during which the premises are used for those activities.
- f) A photograph of the exterior of the premises or an artists impression of the exterior of the proposed premises as they will look when they are finished.
- g) A map or copy of a map or a portion of a map showing the location of the premises.
- h) A to-scale plan showing:

- i) Those parts of the premises that are to be used for the sale or supply of liquor
 - ii) Those parts of the premises (if any) that the club intends should be designated as restricted or as supervised areas.
- i) Where the club is not the owner of the premises, a written statement from the owner to the effect that the owner has no objection to the granting of a licence.
 - j) A certificate by the Local Authority that the proposed use of the premises meets:
 - i) The requirements of the Resource Management Act 1991; and
 - ii) The requirements of the Building Code.
 - k) A copy of the Club Host Responsibility policy.
 - l) The prescribed fee \$776.00.

Your application must be submitted to the District Licensing Agency. Please ensure that you complete the questions in the application in full. Submit further details and additional papers where necessary. If you are selling food include a copy of the menu. Within 20 working days of filing the application the applicant must give public notice of the application in the prescribed form. A copy of the required public notice is attached and it should be noted that this public notice is required to be given twice in the Timaru Herald with an interval of not less than five nor more than ten days between each notification. The simplest way to do this is to advertise the first and second public notices on the same day of the week for two consecutive weeks.

Once the application had been lodged, the District Licensing Agency will then refer the application to the:

- a) New Zealand Police
 - b) The Licensing Inspector
 - c) Medical Officer of Health, Crown Public Health
- for reports.

OBJECTIONS

Each of the above officers then forwards his or her report to the Secretary of the District Licensing Agency. The reports will, in due course, be made available to the applicant and the reporting agencies may object to the issue of a licence. Objections may also come from the general public or interested parties. An objection to an application must be lodged with the District Licensing Agency, copies of which will also be made available to the applicant.

Following the objection period and when the above reports have been obtained, and if everything is in order with the application, and if there are no objections to the application, the District Licensing Agency will consider the application on the information provided and issue a decision accordingly. If there are objections the Liquor Licensing Authority, Wellington, will convene a public hearing to consider the application.

THE COST

The costs associated with applying for a Club Licence are as follows:

- a) Application fee for a Club Licence \$776.00.
- b) Advertising costs - two public notices.
- c) Application for Manager's Certificate \$132.00.
- d) Application for Resource Management Act/Building Act Certificate \$80.00 (this fee is for the Timaru District Licensing Agency only).

RELATED DOCUMENTS

Attached to this document are:

- a) Application for Compliance Certificate with the Resource Management Act/Building Act.
- b) Application for Club Licence.
- c) Draft Public Notice.
- d) Public Notice Form 1A.

FOR FURTHER INFORMATION CONTACT:

Licensing Clerk
District Licensing Agency
Timaru District Council
P O Box 522
Timaru
Telephone (03) 687 7200